1: Coon E-5 (1926-1927) 1931 MX3 Rif MX3

The gathering of wild vegetable products is traditionally considered to antedate agriculture. Tales are told of the times when the Riffians subsisted on these products and game alone. In Ktama, where agriculture is difficult, the gathering of wild plants, especially *tuzzelt*, forms an important occupation. At the end of winter, when the dried fruit is gone and when the larders are low, many Riffian families would die of hunger if their womenfolk did not go out on the mountain slopes and up the watercourses looking for these natural foods.

The green plants, such as watercress and asparagus, are subject to a dietary sex tabu. Woman only may eat them. The reason given for this distinction is that they produce blood, fat, and soft flesh, desirable in women but not in men.

Mulberries and cherries were probably introduced by the Arabs and later abandoned. Mulberries are not considered good food and are seldom eaten except through necessity. Tomatoes were probably introduced from Spain and then given up.

Cultivation of Fruit and Nut Trees and of Vineyards. *zilon* (male), *misola* (female), the domestic olive tree. The male tree produces large olives low in oil content, which are preserved in lemon juice and eaten as a relish. The fruit of the female tree is pressed into oil. As a rule all the male trees in an olive yard are cut down with the exception of one, which is left to fertilise the female trees. The olives are called by the names of the trees which bear them.

arman, the pomegranate tree. The Riffians recognize sex differences in pomegranates, considering that the fruit with a thick skin and large, hard seeds in the granules is produced by the male tree, whereas the better fruit is produced by females. As a rule, the male trees are all cut down but one, which is left for fertilizing the others. Sometimes male trees are left, so that the fruit may be sold in markets frequented by people unacquainted with the difference. The fruit and tree bear the same name.

er ghas, the fig tree. There are four varieties of fig trees, *aseiri*, *aghudani*, *awar n aksi*, and *abaran*. The fruit borne by the *aseiri* is round, with longitudinal purple and green lines; that of the *aghudani* is long, pear-shaped, and purple; that of the *awar n aksi* is round and light green. There are two varieties of *abaran*, one of which is round and green and the other long with black or purple lines. The three first varieties bear twice a year, in June and in September. The June figs, called *er bashor*, are eaten but not dried, except for use as medicine, since they contain but little sugar. The September figs, called *thezath*, are dried. The *abaran* varieties bear only in September. The Riffians say that the *abaran* types are the only indigenous strains, and that the *aseiri* and *awar n aksi* came originally from the Arabs, whereas the *aghudani* is derived from the Negroes.

shukwar, a wild fig. Planted, it is said, by birds that have eaten cultivated figs, this fruit is useless for eating, but is employed for magical purposes.[1] Each year the women and children go out and gather the wild figs when ripe, tie them together in pairs with grass, and hang them on the branches of the domesticated fig trees. There are said to be insects in the wild figs which come out and touch the buds of the domestic figs. It is thought that if these wild figs were not so hung and if the insects from them did not touch the buds, the cultivated figs would not bear.

[1] Westermarck (p. 190) states that the Riffians hang male figs in female trees, in order to fertilise their fruit. A small insect, *Blastophaga grossorum*, bores in and out of the figs, fertilising them. Westermarck refers to Elfving's *De Viktigaste Kulturväxterna* (Helsingfors, 1885), p. 74.

1: Coon E-5 (1926-1927) 1931 MX3 Rif MX3

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583]

sales, although it is difficult to stamp out private transactions.[1] Boy markets are found in the Western Arabophone Senhaja, Ghomara, and Ktama (also, of course, in the rest of the so-called Jebala, and centered at Sbeshawen and in the tribe of Beni Zerwal).

[1] The whole Jebalan area is permeated with this type of sexual depravity, which is practiced without mutual shame or any attempt at concealment. In the Rif persons sometimes live and die without knowledge of its existence, and those who have travelled and seen it cannot mention it at home without falling into disfavor. It was punished during the recent war, in at least two known instances, by soaking the culprits in gasoline and burning them alive.

This perversion, the only form known in this region, is accompanied in the Jebala by a low esteem for women, who perform the more arduous tasks of agriculture which in the Rif are done by men. A frequent sight in the Jebala is a troop of women marching long distances loaded down under heavy bundles of charcoal and other burdens, which in the Rif would be carried by mules or donkeys.

Bride purchase, a trait common to all Moroccans but the Jews, is in the Jebala literally applied, since here the wife becomes a definite chattel of her husband, not usually the case elsewhere.

The atmosphere created by this combination of cultural factors is in striking contrast to that of the Rif, which, although primitive, is wholesome and vigorous.

3: Hart E-5 (1953-1954)1954 MX3 Rif MX3

The akhammās contract is the most
common type, but also current is a slightly different class of association, called *ifarādhen* (Arabic *bil-farḍ*): two farmers who own plots of land more or less equal in size, but who do not have enough equipment to plow them on their own, join forces; the harvest is divided equally between the two parties. This form is particularly prevalent if each man concerned only possesses one cow or one mule. A third kind of association, called *dhūrī*, is very common in irrigable land; in this, one man supplies the land and half the seed, and the other the rest of the seed and the plowing equipment (animals and plow). The actual work, which may be done by an *akhammās*, and the payment of other hired personnel to help with the reaping, is taken care of by both parties, and the net profit, deducting one-fifth for the *akhammās*, is divided in half.

Except in the Bay of Alhucemas, where irrigation is practiced without terracing, and in the valley of the Upper Ghīs, where there is much terracing but little irrigation, irrigation ditches (*tharghа*, pl. *tharghiwīn*) and terraced fields, gardens and orchards are everywhere else to be found jointly in Aith Wuryāghil; the distribution of the one is virtually the same as that of the other. Ownership of irrigation water is largely dependent upon ownership of land, for in Aith Wuryāghil the owner of a plot of land is also the owner of the subsoil, and the waters which pass through his territory belong to him. Water is utilized by human beings, animals, lands and industries; rights of preference are in that order, the industries being represented by water mills (3), the owners of which receive one-tenth of the grain which the mills grind as their commission.

The Rīf, however, is a land not favored by nature, and water is a perennial problem. In Aith Wuryāghil, the people in the mountains receive first use of the water, while those in the Bay of Alhucemas irrigate with the remainder. The turns of each family in getting water are based on the principle of equal distribution, and natural means are used to calculate the time. Men have first call on water consumption, and the rest is reserved for women, for whom it is custo-

(3) Blanco Izaga, Emilio: El Rif (2.ª parte-La Ley Rifeña): II. Los Cánones Rifeños Comentados, Ceuta 1939, pp. 101-133.

3: Hart E-5 (1953-1954)1954 MX3 Rif MX3

mary to arrange a fixed place beforehand for washing and bathing. Each *jamā'ath* (village, council of notables) works out and agrees on fines for infractions of water rights, particularly with regard to freedom of women; a small boy is stationed at a prudent distance from the women's section of the water, to keep men away (4).

It was Col. Blanco, in his magnificent analysis of Riffian customary law (5) (which has served as an invaluable aid to me in the collection of my own notes on the subject), who first called attention to the fact that in the Bay of Alhucemas, the primary ditches have secondary branches which only take up water for twenty-four hours; if there are four such secondary branches, each one only takes up water every four days. Secondary ditches in turn have tertiary branches, which take up water only during the day, or at night. The tertiary branches lead to the very small ditches of individuals, which take up water for a few hours only, these hours usually being determined by those of the daily prayers. Distribution of water is based on the tribal social structure: a *thārfīqth*, the fundamental social unit, receives water from a secondary ditch on a twenty-four hour basis, while a *jājghū* or patrilineal extended family within the *thārfīqth* may use only a tertiary ditch. If one of these family groups, during one turn, gets its water during the day, it will receive it at night in the following round, and the first in one turn will be the last in the next. All ditches are subject to communal maintenance and all the families who use them must help repair them after heavy rains have washed them out.

Water rights are still carefully regulated by the *'urf*, or unwritten customary law, and custom in respect to water channeled off from the Ghīs is different from that of the Nakūr, owing to the different nature of the rivers themselves. In the Bay of Alhucemas, the best land in the tribe, the flow of water in the lower course of the Ghīs, although slight, is nevertheless constant. The problem created by the Ghīs is that although today its volume has been artificially increased with new concrete beds for the primary ditches of Thafadhna, Bulma'īz and Libzimma, there would still not be enough water to go around if

(4) Blanco Izaga, 1939, p. 101.
(5) Blanco Izaga, 1939, passim.

3: Hart E-5 (1953-1954)1954 MX3 Rif MX3

The *thārfiqth* is bound together not only by recognized kinship ties, but by those of common interest as well. The strongly cohesive character of the group as a social and an economic unit is reinforced by the institution of the levirate, in which a man marries his brother's widow and by that of the sororate, in which a widower marries his wife's sister; but there is no sororal polygyny, which is forbidden by Islām. The frequency with which the levirate, in particular, occurs can probably be correlated with the prevalence of blood feuds in the Rif; it was a strong factor in reducing to a minimum disturbances of equilibrium within the group caused by the loss of one of its members. Polygyny in Aith Wuryāghil appears to been more often a result of the function of the levirate than a matter of personal choice, for most Wuryāghlis are monogamous through economic necessity; (7) the only cases of polygynous marriages which I know of personally are, generally speaking, those of important tribal functionaries: *jāris*, *muqaddams*, *shaikhs*, *qā'ids* and *qāḍis*. The status of women is much the same as in other tribal areas of the Muslim world; in day to day life, the wife is her husband's companion in the house and in the fields, and in the old days she even followed him into battle if necessary. She is given maximum consideration during motherhood, particularly when she presents sons to her spouse to continue the martial tradition of the group. Although she goes about unveiled, her husband is exceedingly jealous, and adultery caught in the act is still punishable by death.

The size and power of the *thārfiqth* is augmented by landless strangers who have emigrated from their own villages or tribes or fled from them because of some crime they have committed. These strangers contract work as *ikhammāsen* for the *jājghū* heads, and in time they may marry the latters' daughters. In this case the incipient *jājghū* which is formed when children are born is matronymic, taking the name of its mother rather than of its father because of his lack of prestige; rules of residence are then matrilocal, by the same token.

(7) Coon, Carleton Stevens: **Tribes of the Rif**, Harvard African Studies, vol. IX, Cambridge, Mass., 1931. Coon gives awar (properly azwar), or «veins», and ighs, or «bones», corresponding to jajghu and tharfiqth respectively, as the fundamental Riffian social units. The difference between his terminology and mine may be due to the fact that the bulk of his data comes from Giznaya. In Aith Wuryaghil the word ighs refers only to a bone in the body and emphatically not to a social grouping.

4: Hart E-5 (1953-1954)1957 MX3 R MX3

778 788 443 canvas tents in the Market of the Righteous, as they would do in any ordinary tribal market (*sūq*). They sell just the same articles, from clothing and bill-hooks (I purchased two of the latter here) to soap and matches, as they do in the regular markets, and some of them also sell sheep to be ritually slaughtered for the 'Aid [662] al-Kabīr on the following day. As in a normal market, also, men and women remain sharply segregated.

788 735 Among the pilgrims are numerous *ṭulbā* or students of the Qur'ān, who, after visiting the tomb, where they recite the Holy Book from beginning to end, proceed to the Market of the Righteous to ask the faithful for contributions (*ma'rūf*), which are placed in a box beside the tomb put there for the purpose. The money is later counted up by the tribal authorities and divided equally among all the ṭulbā attending (1).

788 778 795 575 781 The 'imārah of Sīdī Bū Khiyār has also, within the last two decades, become a focal point in the activities of the local members of the brotherhood of the 'Alawiyyīn, who maintain a not insignificant following in Timarzga and Aith 'Arūs, although they do not have a lodge in either of these districts. After paying their respects to the saint, they congregate for their *miima'*, or reunion, at a spot between the ādhān grove and the mosque. Here, for an hour and a half to two hours, they go through the litany (*dhikr*) required by their order. This consists of a constant repetition of the formula *Lā ilāha illā 'llāh*, «There is no god but God», over and over, while the brethren are standing in a circle. The litany is followed by the *'imrah*, a form of rhythmic breathing designed to induce ecstasy; and the 'imrah of the 'Alawiyyīn (the word is *not* to be confused with *'imārah*) progresses through the following routines, in which the underlined and accented vocalizations denote outgo, and the non-underlined ones, intake, of breath:

(1) In 1955, there were 99 ṭulbā from the Ibil (Timarzga-Tvrirth, Aith 'Arūs) of Aith Warivāghir, who collected 717.75 pesetas: 96 from Aith 'Abd Allāh of Aith Warivāghir, who collected 696.00 ptas.; 87 from Aith 'Ammarth, who got 630.75 ptas.; 75 from Aith Bū 'Ayyāsh of Aith Warivāghir, who got 471.25 ptas.; 39 from Aith Ḥadhīfah of Aith Warivāghir, who received 282.75 ptas.; 15 from Imrābdhen of Aith Warivāghir, who got 108.75 ptas.; and 10 from Iezinnāven, who received 72.50 ptas. Total ṭulbā attending were 421, and total money collected was 2990.25 pesetas.

[Text continues on p. 243]

Moreover, even though many jural details of life during the 'Ripublik' have now been forgotten, many attitudes and values of that era, which, as noted, lasted until the advent of 'Abd al-Krim in 1921, are still fully present. The Rifian keeps an iron grip on what belongs to him, and this applies particularly to his womenfolk, who, albeit highly respected, are kept equally secluded and segregated. Also, his land, poor as it may be, is his own and no one else's, in true "territorial imperative" style. But especially with the coming of the protectorate, the values underlying the bloodfeud, which was once the dominant political institution of the society, were channeled into the newer direction of labor migration: in the old days of the 'Ripublik', a man had to kill his enemy to make his mark, while more recently he had to go out and get a job. (Until 1962 and Algerian Independence, work on the farms of French colons in that country was the favored mode and region of labor migration, while since that time the current has shifted to Western Europe.)

The Aith Waryaghar uprising against the Indepent Moroccan Government in 1958-1959 - which was forcibly put down by the new Royal Army in its first post-Independence test of strength - was a graphic indication, at the tribal level, that the old values of Rifian "apartness" within the wider national Moroccan society are still resistant to change, for despite its "modern" objectives, the uprising itself was carried out in a "traditional", "take-to-the-hills" manner. And these same values are even more discernible, today as in Blanco's time, at the level of the jma'th, the local community. Community life among the Aith Waryaghar is both intense and inner-directed, as, for

571 and orient a Rifian's activities and maintain...the safeguard of the interests which the community of his constituents does not guarantee him. While his social units are of a patriarchal, democratic and lay type, his political groupings are of a "military" type, true alliances which join men together and not territories. While the [562] social unit, minuscule as it is, has its proper jurisdiction over a territory and the people who live in it, whether men, women or children, linking together lands and families, the political unit only links individuals together, and these individuals are men only (author's italics)[15].

776 792 3) The "religious group"[16] satisfies the small (sic) spiritual needs of the rest of the Rifians and at the same time utilizes these needs for benefiting the tribe: they are the imrabdhen[17], who want to keep out of the Rifian's quarrels so that they can be effective mediators and arbitrators for him--and it satisfies the Rifian cult for the individual himself, and lends some distinction to his society, to which he never shows himself averse.

44 4) The "economic group"....is characterized in the Rif by markets, Jews[18], the twiza, wuzi's and dhwara, all of which suffice to fulfill the Rifian's principal needs, as much in terms of personal interests as in beneficial or humanitarian ones.

181 C) Family Organization:

1) Rifian society is an organized anarchy, with all the antagonisms and contradictions which are inherent in such a concept; and these may essentially be reduced to the "instinct of defense" and its derivative, the "spirit of association"[19].

583 The foundation of the nuclear family is through marriage,
584 which in the Rif is a "contract of buying and selling"[27], for, as the result of an amount (i.e. of money) stipulated by her father, a woman becomes her husband's absolute property[28]. A petition is made by the father or legal representatives of the woman; he, or
583 they, fix the bride-price (ssdhāq) and the manner of payment. This
584 contract, until very recent times, was unwritten[29], and the fact
212 that the jma'ath knew of the agreement was sufficient (to make it binding). Even today (1935), most old men do not have paper (i.e.
583 documents--r-knwaghadh, sing. r-kinghadh.)[30] By virtue of this
584 contract, a woman, who is never her own mistress, changes owners
562 and becomes the property of her husband, who uses and abuses her as
573 such, always for his own benefit, either improving her lot or
586 abandoning her[31].

583 Of all the acts which must be performed prior to marriage, none is as important as (payment of) the bride-price; and the day that the boy's father and the girl's father are together in the latter's house, accounts are settled and the former hands the bride-price over to the latter. From this sum, the bride's father buys his daughter's trousseau, with an advance on account from the groom; the latter's representatives, some friends and a fqih are also in attendance. Part of the bride-price is given to the father (immediately) so that he can buy clothing for his daughter; the rest of this clothing is bought by the groom; and the remainder of the bride-price is paid in money[32].

586 [587] a) Suspension of Marriage:--If through the absence of her husband, the bride goes home and is reintegrated with her family, the husband then cedes all rights and obligations with the exception of property; but the wife cannot remarry unless she has her husband's consent.[33]

b) Dissolution of Marriage:--This may come about only through death or divorce, the latter being an act which only a man can initiate, and a woman cannot.

462 c) Division of Labor:--Women care for children, keep house, prepare food (grind grain, fetch water, wood and fodder for the animals), wash clothes, and cook. They help reap the cereal harvest (in mid-summer) and carry the straw from the threshing floor to the house. At plowing time (in autumn), they sometimes carry the seed[34] and do the weeding (in early spring). They also bake the bread and care for the oven (located just outside the house). Men's affairs may be subsumed under the headings of war, agriculture, religion, and buying-and-selling; house-building, hunting, fishing[35], cutting trees and brushwood for charcoal, woodwork, reedwork, ironwork[36], wickerwork, work in palmetto and esparto, weaving, sewing[37], and burial rites and attendance at funerals.

●562 d) Relations between the Sexes:--Men represent, direct, protect and administer. Women advise, help and obey. Men's work is free, external and primary, women's work subordinate, internal and secondary. Men administer their possessions as they wish, while women can neither alienate nor obtain anything[38]. Men have freedom of movement while women (theoretically) cannot receive visits from

anyone, not even their families, nor can they leave their house to work, visit or travel, attend feasts, markets[39] or saints' tombs, without previous authorization from their husbands, who tell them how long they may stay away from home. A man may correct his wife's faults in any way he wishes, and if she is guilty of adultery, he may kill her[40]. If he has more than one wife, he sleeps with each in turn.

e) Concept of Turns:-(The notion of "turns" and of "doing things in or by turn" is a cardinal one in Rifian society.) There are "turns" of gift-giving (r-ghramth) at weddings, of the allocation of power (political hegemonies of families and even of tribes), of (usage of irrigation) water, or corvees (twiza), of theft (dhukkardha), of vengeance or reprisal (ar-raqba[41]), for (taking barley to) the fqih, or harkas (war-parties or punitive expeditions), of pasturage (dhwara)[42], and even of plows and animals during plowing time (if, as often was the case during the "Republik", there was only one pair of animals in the community). Rifian society is, thus, a turn-based society, and the term nubth (pl. nubath), in Rifianized Arabic, is so widespread as to include the inhabitants of a village.[43]

The case may be cited of a restless ex-qa'id (tribal chief under the Spanish administration) who, desirous of returning to power, constantly pestered the administration with suggestions that he be readmitted to office. As is logical and as a good Rifian, he wanted to be able to make a resounding exit, with his head held high, if he did not get the job. He wanted a responsible position in the regional government of the Territorio del Rif (in al-Husaima, then Villa Sanjurjo), and when he finally realized that his accusations

592
593 The mother has the right to punish her children, but cannot wound them.

[562] Sons enjoy a preferential situation within the family; they help their father in agricultural tasks and in defense of the hearth and patrimony. They watch over the women of the house. Those of age
883
[785] (i.e. who have reached puberty)[46] start to fast during the month of Ramadan, as well as starting to plow and harvest the crops, after they have become too old to pasture goats. On reaching puberty, also, sons may spend nights away from home or be absent for periods of time.
[584] They do not own property. If a son should reject the matrimonial proposition (put to him by his father) he must look for the bride-price (himself), telling his father of this obligation. He may leave his home without having to renounce his inheritance. After marriage,
885
593 although living in his father's house, he builds a bread-oven in
[591] order to separate his meals from those of his father. He is then a contributor (apart from his father, who generally hands land over to him to work, but who is not obliged to give him his share of the
[594] inheritance.) He pays his fines, and contributes his turn to the fqih's barley allotment, and forms a separate nubth on his own.
883 On reaching puberty, he attends the mosque and goes to markets and
885 weddings; when he marries, he begins to take part in the council
623 meetings to defend his rights; he enters a liff[47]; and sometimes he
616
794 becomes a member of a religious brotherhood[48].
575

593 Sons and daughters are their father's property. A divorced
586 wife, even though nursing a child, cannot take it with her; and there have been cases in which her own father has returned her children to her husband.

5: Blanco Izaga G-4,5 (1914-1945) 1975 MX3 Rif MX3
Aith Waryaghar

59 i) Summary:--The Rifian family is patriarchal and patrilineal, agnatic and polygamous (i.e. polygynous). It needs to be large because of possible loss through feuds or lack of hygiene. Although 562 428 legally a woman inherits one-half of what a man does (i.e. sons inherit twice as much as daughters), Rifians interpret Muslim inheritance laws in their own way, through customs such as "men's habus"[49], or the return to her house of a divorced woman, whether this be Koranically sanctioned or not. A woman does not inherit but is, in effect, inherited[50]; she bears children but cannot give them her name. She works, but cannot buy or sell; she exists to give pleasure to her husband, and is maltreated in return; but she is probably happier 000 than many of her European counterparts.....In my own opinion, the (Spanish) Protectorate has improved the status of women...and I think that if the Rifians consider men to be the superior of the sexes, this is so undoubtedly because men had to protect their womenfolk constantly, with rifle in hand. They saw in them a cause of weakness, but recognized them as being necessary to group survival (sic!). The Rifian family needed a headman with unquestioned authority, rigorous discipline without sentimentality, and an automatic ability 562 to heal breaches. Women were exempt from feuding and had at their disposition their own markets, reserved for them exclusively; in a sense, they formed a society which was semi-independent from that of [926] men. In battle, they incited men to combat. The shift today (1935) [178] toward Koranic norms is more apparent than real, and is taking place at the cost of parallel diminution, at the same time, of the sociopolitical importance of the group.[51]

562 428 [421] [361] Women are always considered as minors[52]. They have no property and do not, in practice, inherit. It would never even occur to a woman to ask for her portion of the inheritance; this is, indeed, very logical in a rural and bellicose society (whose settlement morphology consists of) dispersed dwellings, for otherwise it would 562 have been impossible to defend a woman against bold attacks. She can only take refuge in either her husband's house or that of her agnates. But women wear new clothes, sing, and dance, etc., at weddings, and at least they seem happy; and they are able to plague their husbands in many, many ways.

596 613 4) Jajgu (pl. ijujga--so-called in Aith Waryaghar; jij, pl. ijajjen, "wall-peg",--also, alliteratively, "penis"--in Aith 'Ammarth and Igzinnayen; and azwar, pl. isuran, "vein",--also, alliteratively, "penis" in the Eastern Rif):--This is the most difficult social unit to study, because of its intermediacy[53]. It is one of the "family 596 branches"[54] (i.e. a branch of a dharfiqth or patri lineage). I 613 really cannot say more than this because informants, also, are unable 114 to explain it properly. In my earliest notes, it appeared to me to be a uterine descent group (SIC!). If a man had agnatic descendants from three wives, he thus produced three "branches" of which he was the "trunk". I now (1935) believe this to be the case, but am not completely sure, for if a man who has only one wife has three sons, these also, as points of descent, form (the bases of) three ijujga. In any case, it is understood that branches or ijujga originate from each type (i.e. point of descent), but I feel that the more important category is that originating from a different mother; and, although

613 a single dharfiqth may contribute to the formation of several jma'th-s.
614
623 even in different tribes. And thus the jma'th of Aith Waryaghar is an agglomeration of dharfiqin without known relationship to each other.[63]

623 The iziddjifen have well-defined functions within the above
613 groups (e.g. jajgu and dharfiqth), such as the distribution of work,
[596] payment and benefits (barley to the fqih, rations to the poor, reception of guests, fines, irrigation turns, participation in communal property, etc.), and formation of the opinion which their delegate to the outside world has to express, as well as support for him in the viewpoints he is to maintain. The iziddjifen, as representative of the dharfiqin, are the primordial element in the "play" of the jma'th.

D) Position of Women:

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171 A Kabyle can do what he likes with his wife except make her a corpse, while a Rifian considers her as precious coin in the cancellation of blood debts, and a Berber from the Atlas Mountains regards her as a precious offering in his request for an alliance[64], when the insecurity of the social grouping made it mandatory to look for friends to reinforce it.

562 The sad (Blanco's term) condition of women is most clearly
627 revealed in reprisal and in the norms which regulate it, such as
628 their devaluation, pre-Islamic in character (sic), revealed through the exemption from the act of vengeance of a husband who kills his wife;...North Africa is an area where women can be killed, and the blood-price (Arabic diya, Rifian ddiyith) is half that for a man.....

684 As to adultery, in Kabylia and the Rif, the offending woman is killed,
171 while the Braber of the Middle Atlas and the Bedouins of Mauritania take care of the matter with a fine.

I recall hearing of young Rifian women "martyrized", roasted over a fire, whipped, enchained, hung from the main beams of their
562 houses, or with a pick stuck in their heads[65]. Women do not inherit
428 in Kabylia, nor even in the Rif, in practice; if they do, it is in
171 lesser proportion, and only in movable property. Among the Aith Ndhir of the Middle Atlas, on the other hand, a woman and her daughters can be inherited, and even Muslim law has not done much (1935) to modify this fact in that tribe.

562 Women are divorced whenever their husbands want to divorce
586 them, and they are even put in the position of being neither single
582 nor married, i.e. a general or conditional prohibition of marriage.
[171] A woman's husband must give her authorization to marry again, even though he is separated from her; this happens often in Kabylia and
562 is not rare in the Rif. Custom gives women the right of <u>insurrection</u>
586 (Blanco's italics) or refuge in their fathers' homes or in a <u>zawiya</u>
708 (residence of a virtuous or holy personage, and invariably associated
623 [171] with a saint's tomb); and it gives their husbands the right to complain to the <u>jma'th</u>, a right which women cannot exercise themselves in Kabylia and which they can in the Rif and among the Berbers of the Middle and Central Atlases, although, however, they must make such complaints at a respectful distance from the council meeting or rather
629 through crying them out. This is always preferable to registration
171 of complaints through a Kabyle intermediary or a Muslin <u>ukil</u> (legal
562

representative), while among the Shluh Berbers of the Western Atlas and among the Rgaybat Bedouins of the Western Sahara, women can be their own ukilat (fem. pl. of ukil), although they cannot represent other women, as I once saw in Ibuqquyen (West-Central Rif)[66]...Rifian women may visit their families whenever they want to, and, in general, if Berber women are not given the same treatment and value as men are, they do, nonetheless, have certain advantages which derive from their status as minors.....In the Rif, women's markets are an example of this: they are meeting places completely free from men, where transactions take place, where brides are looked for, where amulets are bought and where news of the day is heard and spread. But a woman in the Rif, if she passes a man on a path, must always give him the right of way: she greets him first, lets him have the right of way, and continues on the lower part of the path....Rifian women love their children.

B) Property (fragmentary notes):

In the buying and selling of individual property, the jma'th (used here in the sense of council) did not intervene; the only parties concerned were the buyer, the seller, two 'udul (notaries public) and the qadi, the latter three individuals having to draw up and sign the necessary document. Even in the case of jma'th property[67], the jma'th did not intervene; once again, the 'udul drew up the documents in question....In the event of renting land, in which a document is not needed, the petition is handed to the village mqaddim (headman) who convokes the jma'th and agrees to the conditions. The same applies in case of mortgages....In case the petitioner does not fulfill his

000 [613] 47--An individual does not, sensu stricto, enter a liff on his own, but is rather affiliated automatically with the liff or wider alliance to which his lineage belongs, although he may later switch his allegiance to fracture lineage unity. (This is not uncommon.)

[191] 48--The number of Rifians who are adherents to Muslim religious brotherhoods (a wide-spread phenomenon in other parts of Morocco) is not large, although it has remained fairly constant even after Moroccan independence and the wane of the fraternities' influence [113] on the Moroccan political scene. For a discussion of the role of brotherhoods in Morocco, see F. S. Vidal, "Religious Brotherhoods and Moroccan Politics", Middle East Journal, 1950. ...The most important brotherhood in the Central Rif is the Darqawa, with adepts [668] in the Aith Waryaghar, Aith 'Ammarth and Igzinnayen; it is said that Abd al-Krim himself was a member of this order originally, but that on his rise to power he suppressed all brotherhood activities in a clean sweep in order to minimize the possibility of their turning against him. Other orders include the 'Alawiyin, among some of the mountain segments of the Aith Waryaghar, and the Tijaniyin and Nasiriyin in the Igzinnayen.

562 428 114 423 [794] 49--Here again Blanco is in error, as habus has nothing to do with the return to her father's house of a divorced woman. Habus is a religious house or charitable endowment, and in Morocco it usually takes the form of a property donation to a religious institution, such as a mosque or a saint's tomb. The word implies, always, property which has been set aside; and although Rifians do not admit any notion of "private habus" in theory, they do so in practice. In the Central Atlas, for example, a man who is afraid that his sons will sell his land may put it in a state of habus, as it were, to prevent them from doing so; and while such a notion is unthinkable to Rifians, it is equally unthinkable that a son would sell his father's patrimony! Thus the idea of habus is intimately linked with that of indivision, and, as such, it has a bearing on the position of women with respect to inheritance rules. Although women theoretically inherit both real and movable property, their share almost invariably remains, in practice, in the hands of their fathers or brothers when they marry. Rifians say that it is perfectly permissible for a married women to come back to her father's house and cultivate her property; but that this is an evasion is readily seen from the fact that in Morocco it is men and not women who cultivate property! Thus, in effect, the "men's habus", of a private rather than a religious nature, safeguards a daughter's share of the inheritance--for the sons! For a discussion [113] of this problem in the Sus and Anti-Atlas, see Andre Adam, "Les Origines Ethniques de la Population Marocaine Musulmane de Casablanca", in Anthony F. C. Wallace, Ed., Selected Papers of the Fifth International Congress of Anthropological and Ethnological Sciences, Philadelphia, September 1-9, 1956, Phildelphia: University of Pennsylvania Press, 1960, pp. 371-76 (our reference to p. 372). Adam refers to this problem within the context of temporary emigration of small grocery-store keepers from the Anti-Atlas to Casablanca.

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[465] 97--The fqih is paid by each nuclear family of the jma'th in barley every year, but he receives absolutely nothing from property in habus.

[251] 98--The office of amarras is nonexistent in the Central Rif, where storehouses, either individual or collective, are unknown, and each man keeps his grain reserves in an underground deposit (thasrafth) in the patio of his house.

[804] [114] 99--In the days of the Republik, a mudd was reckoned at 48 kilos; in Spanish times, 50; and since independence, 56. This puts some doubt on the accuracy of Blanco's figures.

[114] 100--Blanco erroneously thought that collective storehouses once existed in the Rif, and he cites Ajdir and an unnamed place in the Sanhajan tribe of the Bni Hmid as examples; and he also thought that the institution should be revived, as a sort of bank or treasury or center of credit.

101--What Blanco no doubt means to say here is that the notables whose names are written down in this qanun are ipso facto no longer anonymous, and that the first step on the rise to personal power is the shedding off of anonymity.

[114] [562] 102--In Rifian, imqqranen dh-imzzyanen, and in the Arabic of qanuns, "al-kibar wa al-sighar": the terms refer to all the men and youths (or boys) of a given locality. Perhaps this is the root of Blanco's interesting, if in some ways rather questionable, notion of women, who do not have the same status as their menfolk, as minors.

103--The notion of qa'id came in with 'Abd al-Krim, but no Rifian living can remember the day when there was no qadi, even if only matters pertaining to marriage, divorce and land fell under his jurisdiction.

[114] [199] 104--What Blanco probably means to say here is "Arabization" rather than "Islamization"; there is much more than just a subtle distinction between the two, and even during the period of the "Republik", a Rifian would have been mortally offended if anyone did not consider him a good Muslim.

105--Bu-mwarith: an official who takes over in the name of the government the property, real or movable, of any person who has died without issue or heirs.

106--Ukil l-ghuyab: inheritance or property representative for absentees; the man's function is a literal translation of his title.

107--This traditionally given etymology seems highly doubtful, for the Rif at least, and the term should rather read aitarba'in or aitharba'in (sing. utharba'in), which changes the meaning to the far more plausible one of "people of the people".

[114] 108--This seems to be purely an ex post facto explanation on Blanco's part and has no relation to reality. The notion of Ait-arba'in as people of the forty, in which there literally were 40 councilmembers, d o e s e x i s t in some areas (i.e. the Rgibat Bedouins of the Western Sahara), but it is unknown in the Rif.

623 63 13 443 [646] [648] 116--This market was located in the exact center of the tribal territory of the Aith Waryaghar, at the point of convergence of all three qa'idates (1-Uta, Upper Ghis and Nkur) alluded to above, and all questions of import to the whole tribe were usually settled or decided there. Imgharen from all of Aith Waryaghar came to this market when the full tribal council was convoked.

The Sunday Market at Thisar has ceased to exist since the Spanish pacification of the Rif; the Spaniards moved it slightly north to Thamasind, a market, also held on Sundays, which is attended only by members of the immediate subsegments in the vicinity, and which is much smaller, in size and status, than its predecessor.

443 562 [113] 117--For more detailed descriptions of women's markets, see Andrés Sánchez Pérez, "Zocos de Mujeres en Beni Uriaguel", Africa, Madrid, May 1943, pp. 22-23, as well as two works of our own, D. M. Hart, "An Ethnographic Survey of the Rifian Tribe of Aith Waryaghar", Tamuda, vol. 2, no. 1, 1954, pp. 51-86, and "Emilio Blanco Izaga and the Berbers of the Central Rif", Tamuda, vol. 6, no. 2, 1958, pp. 171-237. (Specific references in the two latter cases are from pp. 80-1 and pp. 201-3 respectively).

Some recapitulation, however, is necessary for the purposes of the present work. Special women's markets, which men are forbidden to attend, are not uniquely Rifian, for they are also reported for the tribe of Ihahan on the Sus coast between Mogador and Agadir. [191] Montagne (op. cit., 1930, pp. 251-2) thinks that because in both the Sus and in the Rif they are more or less confined to the coastal area, they may, through their rigid segregation of the sexes, reflect a greater degree of Islamization in these areas, for they are not to be found anywhere in the Atlas. Sánchez Pérez, who also cites the existence of women's markets in Ihahan, favors a diffusionist theory in accounting for their presence in such widely separated areas as the Rif and the Sus.

443 562 114

This kind of thinking must be relegated to the realm of idle speculation. More important, however, is the rationale which Sánchez Pérez gives for the existence of women's markets. He says that the Aith Waryaghar themselves cannot account for the origin of this phenomenon (which is true); but when he states that they ascribe it to the need for the continuance of commercial interchange during the Republik, when all segments and subsegments of the tribe were perpetually at feud, and when only women, as non-combatants, were respected and came, in effect, to handle normal business transactions during such emergencies, he is, I strongly suspect, putting words in their mouths. His argument falls of its own weight, for why, then, should regular weekly markets (i.e. non-women's markets) continue to function all through siba, as they did? He does not take into consideration the primary raison d'etre of the Rifian market, which Blanco correctly interprets as a "place of peace"; for market day was the one non-feuding day (with Friday, perhaps, a poor second) of the week!

443 562 The truth of the matter, very probably, is that because the men of the Aith Waryaghar have always zealously guarded their womenfolk and have never let them attend normal markets (although this has broken down somewhat as a result, possibly, of greater security

443 since the Spanish pacification of the Rif), women's markets came into
562 being either as a concession or by default. Even so, women of the best families still do not attend them as a rule, much as they would probably like to; for the sale and purchase of eggs, chickens and pottery which forms the overt activities of women's markets are in reality, one might say, a disguise for more clandestine transactions: sale and purchase of potions, charms or recipes to induce love, fertility, sterility, and even, in some cases, poisons. Rifian males all know that their womenfolk "know all about such things", but their own knowledge of them is, by comparison, very superficial; and it is thus to their own advantage, in certain respects, to prevent their women from attending. In a manner of speaking, they are successful, for it is only old women, poor women, and women who are locally held in low repute who are market-goers, either to their own markets or to regular ones (the latter of which they have only attended in the last two decades or so).

Women's markets exist today only in the Thimsaman, where there is one (on Tuesdays, Suq th-Thratha, at Swani), and in the Aith Waryaghar, where there were seven in Spanish times: one on Sundays (Suq r-Had) at Iswiqen, mentioned above; two on Mondays (th-Thnain), at Azghar, near Ajdir in the Plain of Alhucemas, and at Isrihan, in what Blanco labels the "originating Jma'th" of the latter; one on Thursdays (r-Khmis) at Swani at the mouth of the Nkur River where it empties into the Bay of Alhucemas; two on Fridays (r-Jum'a), at Aghridh, near Isrihan, and at Suftura, in Ighmiren, of Aith 'Adhiya; and one on Saturdays (s-Sifth) at Aith Qamra. (Of these, only that on Mondays at Azghar, that on Saturdays at Aith Qamra, and the Tuesday market of Thimsaman were still functioning in 1959.) Interestingly enough, there are no women's markets, and there never have been, in the heart of the southern Jbil itself, although those of Iswiqen, Isrihan and Aghridh are all on its northern slope.

[184] Of the other Rifian tribes, the Aith 'Ammarth formerly had a women's market (on Thursdays, r-Khmis, at Ija'unen), as did the Igzinnayen (on Tuesdays, th-Thratha, at Inhanahan), Bni Bu Frah (on Tuesdays at Agni) and Aith Yittuft (in which the day and site of the market in question are unknown to us); but these are all said to have [114] disappeared before the time of 'Abd al-Krim. Sánchez Pérez, then, is essentially correct in localizing women's markets within the tribal territory of the Aith Waryaghar, which was obviously their point of origin.

000 117a--The Jbil Hamam, or Mountain of Doves (it is given this Arabic [103] designation rather than the Rifian cognate adhrar n idhbiren), is in [133] every way the mountainous backbone of the Aith Waryaghar, their highest point geographically (with its peak of Adhrar n Sidi Bu Khiyar at 1930 m.) and their point of origin traditionally. With certain notable [823] exceptions (such as the clan of Imrabdhen), all the tribal segments now [121] in the lowland part of Aith Waryaghar point to the Jbil Hamam as their ancestral home; and it was for these, as well as other, reasons, that we concentrated our own research in the southern mountains of the tribe.

671 the Muslim ruling on inheritance by women), he finds it more convenient
[977] to bypass the Shari'a and invoke custom; for he will always find the means to allay any spiritual lack of scruples he might feel through coating his action with a veneer of pious intent (such as what is in effect a habus in favor of men) or of humanitarianism (such as asylum to divorced women, widow inheritance or sororate[10]), at the same time while he satisfies atavistic impulses.

671 114 It is very difficult to make any sort of rigorous comparison between the Shari'a and Rifian custom, owing to the great lack of data and documents dealing with the latter.[11] I might cite a few notes collected by del Nido[12], and some material of Sidi Ahmad bin Muhammad ar-Rhuni, former Minister of Justice and Chief Qadi of the Spanish Zone; but, then again, I am very doubtful that ar-Rhuni's material refers to the tribes of the Rif--certainly none of his documents are Rifian[13].

671 428 562 171 In matters of inheritance, Rifian custom elevates the condition of women more than the Shari'a does, by matching them with men and therefore by distributing the inheritance in equal parts instead of giving women only one-third (sic); but this is only in theory, and has to do with movable property[14]; in houses and in land, women, in fact, 671 428 562 get nothing. The basis of this distinction is not at all a capricious one, but obeys to the letter the strong Rifian idea which conceptualizes women as minors in age. For this reason they are given, within the house, such work and responsibility as do not require masculine effort or personnel, a fact which becomes apparent if one studies family organization. Work in the fields is a masculine occupation, as is

housebuilding, although here women help, in return for male protection. Women are disregarded here, for in these aspects of movable property, to the formation of which, in the last analysis, they have not ultimately contributed, they receive nothing. On the other hand, in such work as befits their sex, nothing is denied them (even including cereals, for they contribute to the harvest by reaping grain with a sickle and transporting it, on their backs, to the threshing floor.) This notion is linked with the manner of acquiring property through inheritance, purchase or even through force (i.e. blood vengeance)[15]. Property gained in any other way is illegitimate, and as men are the ones who gain it, they have no reason to divide ir or share it with women.

D) Points Regarding Arabic Work on Anti-Sunna Traits (fragmentary):

I hereby review a work in Arabic by Muhammad bin 'Ali bin Brahim Aqibli Amshali al-Susi[16], dated 1342 A.H. (1923-4 A.D.), and published by al-Fatimi ibn Muhammad al-Shagadi. In this work the author exhorts Berbers to give up practices which are irreverent and contrary to the sunna, the Custom of the Prophet, and lists those which are to be condemned, as follows:

1) Irreverent Customs at the 'Ashura:[17] Carnivals. The author rejects all forms of bonfires, of costume and of representation, i.e. imitating animals, birds, old men and old women, as well as the use of obscene words and the wearing of transparent clothes. I have myself seen all this practiced in the Rif[18]. Regarding the use of bonfires, it seems that in the Rif they are lit up to smoke the trees as a possible disinfectant[19].

798
764 2) Funeral Rites Contrary to Sunna: the funeral chant invoking the name of God which is started up when the body is lifted up to be taken to the cemetery (and this is done in the Rif) is rejected as bad (sic). A man should not place himself facing Mecca during the funeral prayer (at the grave) (sic); nor should the body be oriented in this direction (sic) nor should its shroud be pierced (in the Rif, in Ibuq-quyen, a hold is pierced in the nose of the shroud), nor can a stick be nailed perpendicularly to the grave (this is done in the Rif[20]); and the catching...in the act by someone of the body being buried or of the recitation of the hizb[21] of the Koran is like lighting the three lights in agony.[22]

798
302 3) Deceits and Frauds in the 'Aid: men should not put henna on
562 their hands and should not shake hands with women, as this is sinful.
794 Getting meals in the mosque is very bad, as are petitions (of gifts)
769 to the imam[23] after the prayer of the 'Aid; and visiting the cemetery on feast days is also bad, as these are days of happiness[23a]. (In the Rif all these practices are observed[24]).

798
585 4) Weddings: It is very bad to mark the doors of the house of either the bride or the groom with blood (this is done in the Rif[25]), and so is firing rifle shots in the bride's room on the day that the marriage is consummated[26]; so is touching the bride's clothing, or helping her mount the mule which is to take her to the groom's house, or helping her alight on arrival, or mounting the same animal behind her; and equally bad is someone showing up at the moment of union of the newly married couple or staying so near to them that he can hear them talking. Also, men playing in front of women and women dancing in

695 F) Oaths (fragmentary):[35]

In most cases, it is not the plaintiff who must prove his pretensions or denunciations, but the accused, who has to justify himself if the complaint is false. There are cases in which the accused has [562] no defense, such as offenses against women, in which the notion of the latter as minors comes into play. If the accusation of a women against her assailant is sufficient to punish the latter[36], where does one find more protection for the woman? Perhaps the rigor in these matters and 695 839 the fear of accusation by jealous husbands or fear of reprisals have permitted to a certain extent crimes such as rape[36a] A, etc., which, if not frequent, are nonetheless common enough to have a sanction imposed upon them in defense of the common moral standard.

695 [671] [191] Means of Proof: Testimonies differ from those admitted by the Shari'a. In most cases testimony is invalid unless five members of the accused man's family (i.e. his agnates) are present to swear. They are 695 623 previously selected by him, but the jma'th, who know very well the men constitute its membership, can refuse to admit any of them that it wants [613] to[37]. In serious cases, ten members of the dharfiqth of the accused are required to take oath; they are, however, not chosen by the defendant himself, but by the jma'th, among (translator's italics) the members of his dharfiqth[38].

695 829 181 Thus, if oaths are permitted as means of proof, the number of cojurors varies according to the gravity of the offense; this provides a greater guarantee and shows in yet another way that Rifian society is not individual, but solid and familial; in its concept of collective responsibility, blame or sanctions attach to the group rather than to

A, [This footnote was not included in the notes at the end of this section, p. 229--Analyst]

695 action for public demerit in the "Big Ones" (imqqranen)[42]. The oath
[171] formula, haqq dil-baraka, is distinct from the Arabic formula, although oaths are as important among Arabs as among Rifians[43]. The "Little Ones" (imzzyanen, or minors) do not believe in this nor in anything else, but nevertheless they follow the example of their peers and try to limit themselves to abiding by the decisions and keeping the conventions, although they are usually not the same in both categories.... Proof of this is that if a stranger has to swear, he is obliged to do so in places fixed by local tradition[44].

[562] Men swear during the day, while women swear at night[45]. Jews
[563] were forced to swear by going through the market with packsaddles on their backs[46].

G) Penalties: (fragmentary):

681 Berber law does not admit the penalties which Islamic law does
[171] in order to punish crimes (sic)....Rifian law excludes corporal punish-
[697] ment and deprivation of liberty; there are no jails[49A], and in this
562 respect a man's dignity cannot be degraded. On the other hand, it
[855] tolerates maltreatment of women, but because of their status as minors,
[861] being in perpetual childhood, and incapable of taking care of themselves; in the same way, the Rifians do not hesitate to beat their children, if necessary, in order to oblige them to follow "the right
[442] path"[48]. Berber women have all the freedom, in truth, that they desire,
[574] and in the Rif they even have their own markets and feasts[49]. The Rifian male does all he can to protect this feminine society of minors, and he does not enter at all within the limits of his women's social activities.

[49A, [This should read "47" not "49"--Analyst]

000 [128] 10--Blanco does not, in fact, employ the terms "levirate" and "sororate", and here I confess to having taken liberties with the text; but his meaning is abundantly clear. To readers who want refresher definitions, levirate refers to the practice of a man marrying the widow of his brother (as Coon has pointed out, in the Rif this is usually a junior levirate, meaning that the brother who does the marrying is generally a younger brother), while sororate refers to the practice of a man marrying his deceased wife's sister.

[113] 11--This is indeed true, and the only published work thus far specifically dealing with any aspect or aspects of Rifian custom, aside from Blanco's own La Ley Rifeña, is José Maria Peniagua, "Notas Sobre el Derecho Consuetudinario de la Propiedad en el Rif", Archivos del Instituto de Estudios Africanos, no. 4, Madrid 1948, pp. 7-44 and ditto, La Prescripción y el Retracto en el Derecho Consuetudinario Rifeño, Madrid: Instituto de Estudios Africanos, 1950. Paniagua's work, particularly the last-mentioned monograph, deals with problems which seem to be almost entirely constructs of a European legal mind, and have no basis in social reality; and such work cannot be considered serious contributions to the study of Berber jural systems.

12--We cannot identify the work to which Blanco refers here.

13--The only work of Sidi Ahmad ar-Rhuni which we know is the Spanish translation of his Historia de Tetuan, Tetuan: Instituto General Franco, 1955, and this contains no allusions whatever, even remote ones, to Rifian custom.

671 428 191 114 • 562 14--This is not so. Under Shari'a regulations, women receive one-half of what men receive, in inheritance, and this is the case for both movable and real property. Granted, of course, that the point in the Rif is largely theoretical and that women in fact, as Blanco points out, generally get nothing (particularly insofar as real property is concerned), it still seems appropriate to correct this error. In any case, we have never heard of any customary variation of normal Shari'a usage, which would allot to women one-third of movable property; and neither have any of my informants. It is one-half in theory, and, as a rule, nothing in practice.

671 428 191 562 Besides the current practice of a woman's father or brothers appropriating, in effect, her share of the patrimony on her marriage (in order to keep it in family hands and to keep in-laws out), there is a second institution which reinforces the notion that women do not inherit. If a man dies leaving only his widow and a daughter or daughters (no sons), his r-waratha (sing. awrith) or remaining agnates stand to inherit, which they would not do even if he had only one son. According to Shari'a regulations, the man's widow gets one-eighth, and then, if he has only one daughter, the rest of the property is divided in half, the daughter getting one-half and the r-waratha getting the other. If, on the other hand, he has more than one daughter, the rest of the property is divided up into three parts, the daughters getting one and the r-waratha getting one. However, even if there is a son or not, certain r-waratha (e.g. mmis n 'azizi, pl. dharwa n 'azizi, father's brother's son), but not others (e.g. uma, pl. aithma, brother, and

671 'azizi, pl. aith 'azizi, father's brother), marry the daughter or
428 daughters in question. The result is, of course, that if they do so,
they wind up with the daughters' share in any case. However, although
191 father's brother's daughter marriage does occur in the Rif, it is not
• 562 the rule, and this is because the institution of shuf 'ath (called
shafa'a by Berbers in the Central Atlas, and referring to agnates prior-
ity rights over both land and women, especially fathers' brothers'
daughters) in the Rif applies to land only and not to women. Indeed,
[582] there is no single form of preferential marriage, and most people be-
lieve in marrying "further away" than their parallel cousins. As, on
the other hand, parallel cousin marriage is the norm in the Central
Atlas, the same institution there (where r-waratha are termed imkusa)
is more effective in depriving women of their share than it is in the
Rif, where conditions per se in the latter area are considerably less
favorable to such deprivation. The crux of the matter, perhaps, is
this: that the property of a man who leaves no sons, despite what
other heirs or offspring he may have, is always divided up among these
heirs (and here, in practice, is where daughters tend to be left in
the cold, even though informants invariably say that they get their
part), while on the other hand, if there is a single surviving son,
no matter if he is a tiny baby, the patrimony stays pro indiviso.

000 15--What Blanco seems to be getting at here is that men rather than
women inherit and purchase property, or acquire it by right of con-
quest, and that therefore property and its administration rests ex-
clusively in male hands. The contrast is effective, because such
movable property which is involved in the work and everyday tasks of
women (i.e. pottery, chickens, eggs, etc.) does belong to them, and
is not touched by men. Men, for example, may perfectly easily sell
chickens or eggs in the market, and they often do so; but they in-
variably turn the proceeds over to their wives, who have stayed away
from the market as good women should (although they may go to the
women's market two days later) and because of this have asked their
husbands to do these things for them.

16--From his name, a Berber himself, possibly from the Sus (as his
final sobriquet would suggest), but more likely from the Ilimshan
subclan of the southern Ait 'Atta, the so-called 'Iqibliyen" of the
southern slope of the Central Atlas. These facts are indicated in the
first and second point-of-origin designations Aqibli Amshali, the
last mentioned probably being a metathesis of Alimsni, an Arabized
singular form of Ilimshan.

17--The 'ashura refers to the 10th day of the first month of the Muslim
year, Muharram (itself called l-'Ashur in Morocco), and commemorates
the martyrdom of the Prophet's two grandsons, Hasan and Husayn. It is
also, in Morocco, the day when almsgiving (zakah or 'ashur) to the poor
is legally enjoined; this act is, indeed, along with the profession of
faith (Ashhadu an la ilaha illa 'llah wa Muhammad al-rasuluY'llah,
"I testify that there is no god but God and Muhammad is the Messenger
of God"), prayer five times a day, fasting during the month of Ramadan,
and the pilgrimage to Mecca, one of the five arkan al-din, "pillars of
religion", or qawa'id al-Islam, "customs of Islam".

26--During the Republik, when the bridal party arrived at the groom's house, after dismounting his sister from the mule she was riding, the bride's brother went into the room that she was to share with the groom and fired a shot in it in order to get rid of any evil magic which might have been there. This is not done today; and in any event, as firearms have been forbidden since the days of the Spanish administration, people have been throwing firecrackers at weddings for the last 30 years or more.

27--In the Rif, women dance for men, never with them.

28--We do not know just which Bni Hmid is meant, for there are two tribes of this name: Bni (or Aith) Hmid, in the Sanhaja Srir west of the Rif, and Bni Hmid s-Surraq ("Bni Hmid the thieves"), in the Jbala, the second generally being considered to be an offshoot of the first. As the first falls into the boundary of the old Spanish Territorio del Rif (now Province of El Hoceima) of which Blanco was administrator, it is probably the group he means.

29--Not daily, but whenever they feel the need to do so, about once or twice a week.

30--In Berber law as elsewhere, the testimony of witnesses puts the seal on the defendant's guilt.

31--What Blanco probably means by this European legal circumlocution is any case which cannot be decided on the spot.

32--After a man accused of damages to a field or irrigation ditch belonging to another person admitted his guilt, the injured party called in the aquwwam or agricultural expert, who assessed the damage and was paid one-third of the fine money by the owner of the field or ditch.

33--Quoted in extenso in La Ley Rifeña, op. cit., pp. 21-8. The qanun in question comes from the tribe of Aith Waryaghar, and involves several lineages of Tazurakhth, in the subclan Aith 'Adhiya, clan of Aith Bu 'Ayyash.

34--The original meaning of the word is "announcement, good news". In jural-legal terms, it refers to a small sum of money (rbsharth) given by one man who has lost some article to another to watch out for it.

35--Collective or plural oaths, perhaps more than any other institution, are the touchstone of the Berber judicial process. It is unfortunate that available sources on this crucial subject are so few and far between.

The French, who underwrote Berber customary law with every means at their disposal, fostered, protected and encouraged the institution of plural oaths; but after independence in 1956, the new Moroccan administration did away with custom and oaths in one fell swoop.

Rifian oaths have not been in existence since the Ripublik. The only published reference to them, and it is a most inadequate one, is in Edward Westermarck, Ritual and Belief in Morocco, 2 vols. London: Macmillan, 1926, vol. I, pp. 513-4.

36--A man accused by a woman of attempted rape had to swear to his innocence, but without cojurors, even during the Republik.

5: Blanco Izaga G-4,5 (1914-1945) 1975 MX3 Rif MX3
Aith Waryaghar

634 Every man who carries a rifle drops whatever he is doing and
623 goes immediately to the council site, leaving his house, interests and
614 work in the fields to his women, who collect all their movable property,
619 animals and children, in case they have to move, and await the news,
562 quickly transmitted, with anxiety, while they decide upon their place
722 of retirement (usually the house of some relative) and form a line of sentries, together with the older children. Here they follow, with analogous emotions, the events of the fight, if there is one, and await its outcome....Once the men have arrived at the site of the
634 alarm, or more often at a generally determined meeting site (agraw),
623 they start to look, without orders or signals, for their kinsmen and
614 neighbors who have arrived or are just arriving. They are always
619 careful to seek a spatially dominant position, and remain grouped together some little distance from the other groups which are also being formed, completing a circle, in the interior of which only the chiefs, who are rapidly informed of the matter and of the opinions of their subordinates, may enter. Such opinions are impassioned ones, as they have been forged (in case of alarm) on the spur of the moment, on the basis of what those who echo them have heard, or on the basis of what is going on around them; one can distinguish the feverish voices of the kinsmen and friends of the injured party, who want immediate reparation.

634 In this heated atmosphere the delineation by the chiefs of the
623 matter at hand begins; they are attentive not so much to what happens
614 in their own little circle, but to the stormy atmosphere being created
619 on the outside one and pressing in on them....If the matter is one of
692

616 [182] Individual liffs bind together individuals or families, persons and possessions, and make for solidarity in the payment of fines, in both defense and attack[21].

2) General Liff:--I think the raison d'etre of the general liff to be purely defensive. These large-scale liffs are real military [619] alliances brought about in order to maintain territorial integrity, and it is they which have permitted the coexistence of minuscule tribes alongside of large and powerful ones. The situation in this respect is analogous to that of Switzerland in Europe; and among the most typical Switzerlands in the Rif are the Thafarsith and the Aith 'Ammarth[22].....In a general liff, it is not individual or kin group interests which are in opposition to each other and come into play, but rather the jurisdictional limits and the autonomy of the social [613] groupings (i.e. clans) which integrate them. The general liff obligates with the same end and binds together with the same strength [171] the individuals belonging to rival dharfiqin. There is thus, I think, a notable difference in the two classes of liffs, although the end result or defensive spirit is the same[23]; analogously, there are alliances between European nations which are destined to preserve their independence, as well as friendships of more of an individual or economic character between their members....The national liff, to call it [582] thus, cannot be confused with the social forms which have already been considered above, for while the latter place mutual obligations upon and bind together individuals and lands, the general liff usually applies only to men and binds together only warriors[24].

5: Blanco Izaga G-4,5 (1914-1945) 1975 MX3 Rif MX3
Aith Waryaghar

682 For example: whoever, in the market, should attack (someone)
443 and should kill him shall be fined 500 duros[69], and if, in attacking he should miss him (i.e. if the bullet should fail to reach its mark),
685 he shall pay 200 duros. Whoever should take justice into his own hands
443 on the path to the market shall be fined 50 duros and shall return whatever object he made off with. Of those who should incite riots with
689 shouts and gunshots, as (happened) to the people of Tafrast, Ait Musa w 'Amar (both in the clan of the Aith 'Ari) and to the people of Ajdir (in the clan of the Aith Yusif w-'Ari), each one shall pay with his
689 death (literally, "with his neck"), that is, he must be shot. Whoever
443 should be discovered in the Monday Women's Market (Suq ath-Thnain n
562 Timgharin, at Azghar) shall be forced to pay 10 duros.

671 This is what has been decided (for fulfillment) of justice in
443 the above-mentioned market. May God, for the common good, put into agreement His ideas and the criteria of His lords (of the market).
689 Punishment shall seek out anyone who should wish to provoke riots--may God in His power make him meet his end.

000 The abovementioned shuyukh have worked with good intent, with the idea of being useful. May God cause the miracles of the saints to be manifested, and of the saint of the tomb situated in front of the market (i.e. that of Sidi Bu 'Afif).

Each of the abovementioned shuyukh designated among his brothers (i.e. among the men in his jurisdiction) those faithful to him (i.e. those who constituted his escort and supported his decisions), as for example: the Shaikh Murabit Muhammad Ashahbar designated among them the Murabit bin Muhammad bin 'Abdallah Bu 'Azza; the Murabit Hammu bin al-Hajj Muhammad w al-Qadi; 'Umar bin al-Hajj Tuhami Adardush; Muhammad

562 commented above. Two societies live together in perfect harmony among
671 the Rifians: the masculine and the feminine. To the latter, as in most modern societies, it reserves free and sure places for women to gather, the legitimacy of which is expressed in this qānun establishing sanctions against intruders, a fact which guarantees the tranquillity of both the ones and the others (i.e. of both women and men).

562 This persistent and good custom is no less faithfully observed
183 today, and within the last ten years (ca. 1930) there has been only
794 one attempt to go against it, made by a young talib of Ibuqquyen, soon
443 discovered under his disguise by the women themselves (after entering
689 the Monday Women's Market at Azghar in Aith Waryaghar), who handed him
178 over to the mkhazniya services, and from there he was sent to jail at
562 the administration office of Izimmuren (Ibuqquyen). The women's
443 markets are still held in the same places and on the same days as they
178 were hundreds and thousands of years ago.[80] The Aith Waryaghar, very
183 attached to their traditions, reserve and guarantee for their women special meeting places, a fact which speaks highly in their favor. Other tribes have now lost this custom and today there remain only the names of the places in which these women's markets were held.

671 In the qanun discussed here there can be discerned a body of doctrine, a community of ideas, an analogy of customs which is precisely what forms the so-called Berber Bloc, with needs and identical means of remedying them. The details may vary, as may the amount of
[184] the fine and its order in the drafting of the qanun.....but the funda-
(681) mentals, the acts which they considered reprehensible, those which merit punishment, did not vary, nor did the recording of the qanun and the proportion, in context, of the fines.

181
167 They were too good and honorable to see themselves die out, with no fear other than that of the market announcement and without guards of any sort, on a most miserable land, which their way of life made habitable only through emigration[92] and epidemics taking care of the surplus population.

Clearly, bound to necessity, it incited the envy of more than one individual, considering the very slight severity of the punishment, the possibility of concealing the offense and the difficulty of proof, for which reason the people took refuge in traveling to places unknown to them on days which were not market days, without taking natural precautions.

671
685 The qanun of the Aith Siddat shows us, in notation (c), the offense of house-breaking, with a concise and admirable clarity; it recognizes for the owner of the house the right of violent opposition, a previous guarantee to the society that neither a difference of opinion nor known resentment shall mediate between them.

671
682 By the same token, notation (b) indicates and punishes the accomplice with the same penalty in offenses in which blood is drawn as does notation (k) with 50 mithqals in the rest of the cases.

And finally, in notation (d), the right of legitimate defense is established without the slightest doubt.

671
562 If in each one of the qanuns in this volume it is easy to discover its characteristics and, knowing the region, to find out what each one conceals, to explain what it says and the reasons which it gives for doing so, we must point out, in the present qanun, the interest which the Aith Siddat maintained in enforcing public respect

92--The reference here is primarily to Rifian labor migration in Algeria.

passers-by may slake their thirst. This also reflects the fact that the retention of surplus water is considered an act of bad faith by a person's neighbors; and the latter fact in part makes it necessary for irrigation water upstream to be properly carried out and led off, and thus that holdings under irrigation be leveled and conveniently prepared.

B) Usage of Water in General:

Utilization of water in the Rif presents three facets which are common to all societies: utilization by animate beings, by (or for) lands, and by (or for) industries. Rights of preference are also the same, and in the same order: first, animate objects, the surplus for lands, and what remains, for industry, which in the Rif is represented by turbine water mills (dhasirth w aman, pl. dhisira w aman), which in times of excessive dryness or drought do not have the right to utilize water from those irrigation channels which divert or subtract the flow from the principal ditch.

C) Water Points for Men and Animals:

Water points in Rifian villages whose liquid content is destined for human and animal consumption are not regulated by any by-laws other than that of designation of the hours in which men may go to them; the rest are reserved for women, for whom it is also customary to reserve, beforehand, and whenever possible, fixed points for washing and bathing. For this reason, if the village contains diverse water points, one is used by the women and another by the men; and the surplus water is channeled toward a pond (agirmam, pl. igirmamen), which forms the common watering place for the animals as well as a malarial focus from which it is difficult to extinguish the mosquitoes.[118] The

312 The
562 jma'ths agree on the amount of the fines to be imposed for infractions
[623] of these rules, especially those having to do with the freedom of
[681] women, forbidding the men either to come near them or to remain in those paths which lead to their washing or bathing sites. Ordinarily, in this case, a turn is set up for a boy to act as guard, at a prudent distance from the site, if the latter by its topographical situation or by its distance from the village renders such a move necessary.

D) Irrigation in General:

312 The utilization of water in the Central Rif, particularly
615 among the Aith Waryaghar, is the object, in both general and particular cases, of agreements between the users; these agreements are made at the beginning of the summer for those water points which have a small or intermittent flow and which are of short duration. These agree-
[212] ments are also usually unwritten, and they deal with the following points: 1) dams, 2) network of irrigation ditches, 3) repairs to ditches, 4) turns (nubth, pl. nubath) of those who irrigate, and 5) infractions and sanctions.

[466] The labor as well as the necessary repairs are done by compulsory personal service (twiza)[119] and proportional contributions on the part of the irrigators. Any ditches which need special work
[333] done on them, such as bridges or retaining dams, are previously agreed upon to be done by contract with master-masons, with the cost of the materials included.

312 Infractions are usually reduced to: 1) appropriation by anyone
689 of a turn or turns of water outside or exceeding his own, and 2)
241 differences and disputes which during the "Republik" were settled
242
627

584 pick out a prospective husband and let it be known among her
[521] circle of girl friends that she likes him. Within the community such information is conveyed through gossip so that it becomes knowledge among the women in both the girl's and boy's family. If the boy is interested he may ask his mother or grandmother to urge the male members of his family to talk to the girl's father. Such procedure occurs only among the poor, who are, however, the majority.

584 562 586 Men have more say about their prospective spouse because of the fear of divorce. Since the male has the option of initiating divorce proceedings, it is thought unwise to force a son into a marriage that he strenuously opposes, since all the advantages that accrue from the match are terminated at its rupture.

584 [782] [571] Westermarck (1914:50-51) notes that among the Beni Wariyghar if a man wishes to marry a girl and his father opposes the match, the son can sacrifice a sheep outside the parental home, placing an obligatory duty ('ar) on the father. He remarks that the Riffians do not regard this as a good method for obtaining a wife. I encountered no case of this occurring. I do know of
[593] instances in which the son has married against the father's will
[464] [421] and has been kicked off the land. In such cases the men work as akhammas or migrate abroad in search of wage labor. In such circumstances shame is thought to fall on both parties.

584 581 582 Aside from the preferences of the couple, it is supposed that a certain amount of advantage stems from marrying a relative which is counterbalanced by disadvantages. My informants agreed

793 794 465 students, as well as the revenue that accrues from the property owned by the mosque. He also receives cash or kind for his services as the magical advisor for the community, a service which I shall discuss below.

754 789 In a land in which there is so much witchcraft, it is not surprising to find a great deal of ritual being used to evoke charms and spells. As Westermarck demonstrated in innumerable works, magic permeates almost all social behavior in Morocco. There are two types of magical specialists in Rif 791 754 society. One is the fqih who has magical powers because of his [793] [789] knowledge of the Koran and the belief that magical powers are embodied in the Book. The other specialists are the female 754 791 witches whose magic is supposed to derive from their lore passed 562 on from mother to daughter. Not all women are regarded as witches although the female quality is believed to have magical potency. [888] This potency is thought to increase with age and old women are universally treated with respect, partially out of fear of their magical powers. Men of an elderly age are not so regarded.

754 791 789 793 The two classes of sorcerer use different magical techniques. The fqih disperses charms and spells by writing passages from the Koran on a piece of paper which thus has magical qualities. The witches have a more varied inventory consisting of herbs and roots (poisonous or otherwise), stones, pieces of wood [443] from holy trees, small dead animals and the like. The services of both are called upon often and it is not uncommon to have witches set up booths in the open weekly market to hawk their

753 Most sickness is attributed to evil spirits,
776 the dinoun. These creatures are held responsible for malaria,
[164] epileptic and paralytic seizures, rheumatic and neuralgic pains, cholera, whooping cough, smallpox, and so forth. The dinoun themselves are usually invisible but can take the shape of an animal or human. When a person falls ill it is believed that either a dinoun has possessed him or he has been given the evil eye.

755 There are various methods of purging oneself of the dinoun,
782 generally involving animal sacrifice either at a saint's tomb or mosque. Although the Moroccan government has set up medical
657 facilities in the rural areas, the local doctors and nurses
743 admit that the vast majority of illness is treated in the tradi-
755 tional way. This is especially true of the women who are cul-
[562] turally prohibited from going before a stranger for a medical examination.

751 Investment is not only made to remedy the effects of the
782 dinoun after the fact, but also as a preventive of such effects. To prevent the evil effects of the dinoun an animal is sacrificed before the building of a new house (Westermarck 1920:34), when the digging of a well commences, and again when water is reached (Ibid.:71).

754 Another form of magic over which the Riffian is much disposed to worry is the evil eye. Most people in this society believe that a glance or stare from certain persons can produce an evil spell. Everyone has the potential to give the evil eye

423 Property going to females, either to widows or daughters,
428 tends not to be disruptive since their control over their inher-
562 itance is minimized by law and social custom. Because of the
[587] practice of levirate, traditionally the widow's property was merely transferred from the effective management of one brother to that of another. Whether or not the widow marries a brother of her deceased husband, she can in no case sell her property without the permission of her husband's family.

562 The case of daughter inheritance is somewhat more dis-
428 ruptive. While widows generally remain within their deceased
[768] husband's family for the protection this affords, daughters marry out. Thus the daughter as another man's wife has a male champion to press claims for use or sale of the inheritance. To the question of should a man come to farm the land of his wife or demand a portion of its production, my informants state that technically he could do so but that no man would want to do this and that to their knowledge no man has ever done so.

428 The prevailing mechanism for avoiding disputes over the
431 inheritance of a daughter is a gift exchange between a man and
578 his sister's husband. If, for example, A's sister has married B,
182 B holds certain theoretical rights over his wife's land. A, on
607 the other hand, generally cultivates the land. B does not exer-
562 cise his claim, and indeed the community would disapprove if he did so. However, it is also considered appropriate for A when he visits his sister, to give B's household certain goods, processed barley, fruit, or whatever, which compensate for B's

562 428 431 578 182 607 noninterference in the use of the land inherited by A's sister and B's wife. Another mechanism which achieves reciprocal equality over inheritance is in sister exchange whereby land claims are mutually balanced off.

428 423 607 562 Despite the weak claim that daughters exercise over their inheritance, there are certain legal restrictions over their property. A brother cannot sell his sister's land nor construct on it unless he has obtained the prior permission of his sister's husband. Likewise, a husband cannot sell his wife's inherited property unless he has consulted with the woman's brothers, who have first option to purchase the land.

423 428 The male Riffian has a more solid claim over his inheritance and although some families continue to work the land of their father jointly under the administration of the oldest brother, there tends to be a fragmentation of land with each successive generation. This process tends to level out differentiations based on property holdings. On the other hand there 423 183 556 425 is no special cultural value placed on "shared poverty." The aggrandizement of property holding is not a goal towards which the community voices disapproval. To buy land increases a man's wealth as well as his prestige, but he is regarded as advancing his children rather than engaging in entrepreneurship or capital development. He is also regarded as maintaining community solidarity, which is quite the opposite of what the entrepreneur does. To alienate land is regarded as a great source of shame in the Rif. The property which one's father passed on should be

423 The number of men under such association is difficult to estimate
427 though I have the impression it is large. No man whom I inter-
464 viewed who might be roughly classified as a leader in the community had less than one person working for him in such a relationship.

427 The most prominent and common association is that of the
464 akhammas or sharecroppers. The akhammas is a laborer who voluntarily contracts to contribute all the physical labor necessary for the total production process of a piece of land. The landowner provides the land itself, the seed, fertilizer, plough and any other equipment, and the animal power. The akhammas provides all labor, from the initial ploughing to the ultimate harvesting.
[465] For his services he receives exactly one-fifth of the yield,
[466] hence the name which derives from hamsa or 'five.' The akhammas also receives the hand-me-down clothes of the master and often a meal each day. Since the activities of the akhammas entail his
427 464 562 constant presence around or even inside the household, he has far greater access to the wives of notables than other males. A man of sufficient wealth to employ an akhammas would probably isolate his wife from contact with male society. It is a myth that the Berbers do not seclude their women. The only ones who are not secluded from male society are the wives of poor men who must contribute their labor to the production process. Such women are, of course, the vast majority. The akhammas has more contact with the wives of the notable class than any other male not closely related to the family. Since the akhammas must consult

427 the wife about household tasks and often takes his meals inside
464 the central patio, he is on rather intimate (for the Rif) terms
562 with these women. In such a close and anomalous situation, there
[602] is a preference on the part of the master to hire a poor relative, especially of his wife, as a servant. By hiring a man of the wife's family or of a family which includes the wife's relatives by marriage, one lessens the danger of too close a relationship between wife and akhammas.

427 While both partners in the akhammas arrangement seek to
464 establish a contract which is divorced from social conflict over
466 women, they are nonetheless in basic conflict along incipient
465 class lines. The akhammas, at least in the contemporary situa-
565 tion, regards himself as being exploited by his patron in that the wage scale is fixed and involves difficult manual labor without any guarantees of remuneration. While he is free to negotiate his contract with whomever he so desires, his wage depends directly on the size of the crop yield for any one year. The master with greater reserves of resources suffers only an inconvenience if the crop yield is low. The sharecropper, on the other hand, has few if any reserves, and any reduction in the portion of his share has serious repercussions on his ability to maintain his household. The akhammas is especially aware of the inequity of this arrangement as wage opportunities open up and he becomes aware that salary can be negotiated with commensurate rewards in cash. Most ikhammasen prefer to get into the category of wage